

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
FILING COMPLETION UNDER RULE 53(f)

MIT \$  
6420

In re PATENT INFORMATION of

Inventors: Phillips et al.

Appin. No.: 10/021,416

Filed: November 5, 2001

Title: Secreted Prot In Associated With Depression,  
Compositions and Methods of Use Thereof

COPY OF PAPERS  
ORIGINALLY FILED

Order/Docket No.

R-236

Deposit Account No.

50-1271

Customer No.

26619

Date: May 28, 2002

Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. ☒ Enclosed is a copy of the Notice to File Missing Parts.
2. ☒ Signed Declaration enclosed: ☒ Original ☐ facsimile/copy
3. ☒ Enclosed is an Assignment and cover sheet. Please return the recorded Assignment to the undersigned.
4. ☒ Enclosed is the sequence listing on paper and a diskette containing said sequence listing.
5. ☒ Applicants state that the content of the sequence listing information recorded in computer readable form is identical to the paper copy of the sequence listing and includes no new matter, as required by 37 CFR §1.821.
6. ☒ Applicants hereby claim "small entity" status in accordance with 37 CFR §1.27.

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

7. Basic Filing Fee.....				\$370.00	\$ 370.00	201
8. Total Claims	41	minus 20 =	21	x 9.00	+ 189.00	203
9. Independent Claims	21	minus 3 =	18	x 42.00	+ 756.00	202
10. Multiple Dependent Claims				140.00	+ 140.00	
11. Surcharge for filing Declaration/filing fee late				65.00	+ 65.00	205
12. FILING FEE: <input checked="" type="checkbox"/> CHARGE AUTHORIZATION <input type="checkbox"/> ENCLOSED =					\$1,520.00	
13. Original due date: May 28, 2002						
14. Petition is hereby made to extend the original due date to cover the date of this response, for which the requisite fee is enclosed.				\$ 55. / 200. 460. / 720.	.00	
15. If Assignment is included, add recording fee .....				\$ 40.	+ 40.00	581
16. TOTAL FEE (enclosed): =					\$1,560.00	

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any missing fees required, or credit any overpayment, to our Account/Order No. shown above, for which a duplicate copy of this sheet is enclosed.

DELTAGEN, INC.

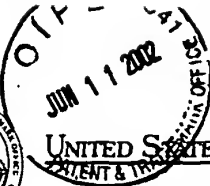
740 Bay Road  
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*Mariette A. Lapiz*  
Mariette A. Lapiz, Reg. No. 44,202

Certificate of Mailing

I certify that the enclosed papers are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, BOX MISSING PARTS, Washington, D.C. 20231, on May 28, 2002.

*Deborah A. Mojarro*  
Deborah A. Mojarro



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/021,416	11/05/2001	Russell Phillips	R-236

CONFIRMATION NO. 1745

FORMALITIES LETTER



\*OC000000007737165\*

DELTAGEN, INC.  
740 Bay Road  
Redwood City, CA 94063

Date Mailed: 03/28/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$1118.
  - \$180 for 20 total claims over 20.
  - \$798 for 19 independent claims over 3 .
  - \$140 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1553.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be

submitted in lieu of a new CRF.

For questions regarding compliance with these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patent Software, call (703) 306-2600
- For Patent Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE